



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/502,081   | 12/14/2004  | Peter Dam Nielsen    | 893-011876-US (PAR) | 2106             |
| 2512   | 7590        | 08/10/2005           | EXAMINER            |                  |
| PERMAN & GREEN<br>425 POST ROAD<br>FAIRFIELD, CT 06824 |             |                      | LAM, DUNG LE        |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2687                |                  |

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/502,081             | NIELSEN, PETER DAM  |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Dung Lam               | 2687                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)–(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. <sup>1301</sup>Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1, line reads “and afterwards in an operation state for operating the electric circuitry of said user exchangeable cover part”. It seems unclear what the words “afterwards” and “operation state” mean and that the phrase is incomplete. For examination purpose, the examiner interprets the phrase as “after detecting an identification which corresponds to a specific function of a particular model, the specific function becomes accessible.”

5. Similarly, claim 3 also reads “an operation state” does not clearly state what “an operation state” means.

6. Claim 1 and 2 recite the phrase “said wireless communication” and “said value” respectively. There is insufficient antecedent basis for these limitations in the claims.

Art Unit: 2687

They should be changed to --a wireless communication-- and -- a value -- to provide proper antecedent.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims **1-10, 12-13,15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Andrews** (US Patent No. 5911121) in view of **White et al.** (US Publication No. 2005/0026643) in further view of **Macario** (Cellular Radio Principles and Design, 1993).

9. Regarding **claim 1**, **Andrews** teaches a method operating an exchangeable cover part (44, Fig. 2) for supporting a user interface of a wireless terminal (10, Fig. 2), said wireless communication terminal and said user exchangeable cover part are electrically interconnected by means of an electrical connector (60, Fig. 3) having a plurality of pins (C1, C2, C3, Fig. 4), said method comprises: identifying the type of said user exchangeable cover part and (Col. 3, line 34-39); operating at least one of said connector pins in an identification means (Col. 3, line 34-39); and afterwards in an

Art Unit: 2687

operation state for operating the electric circuitry of said user exchangeable cover part (Col. 3, line 41 - Col. 4, line 22, Table 1); However, Andrews does not teach that the electric circuitry is in the exchangeable cover and there's mapping of the keys to a set of tunes. In an analogous art, **White** teaches a method of operating an electric circuitry (controller, Fig. 13) included in an exchangeable cover part for supporting a user interface of a wireless terminal (para. 08 and 62). He further teaches that the supplier of the fascia may attract buyers by providing additional data such as ringing tones to advertise itself or other companies (para. 60). Therefore, it would have been obvious for one of ordinary skill in the art at the time of invention to modified Andrews invention to include the electric circuit in the exchangeable cover and the ringing tones to make the fascia desirable and marketable. Although White fails to teach the mapping to one or more keys connected to said electric circuitry of said user exchangeable cover a set of tones and/or sound effects, Macario teaches that DTMF keys are associated with audio tones (Macario, Fig. 1.2 Page 3). Therefore, it would have been obvious for one of ordinary skill in the art at the time of invention to modified Andrews and White's teaching to have the keys mapped to a certain ringing tones as additional plus feature that can make the fascia even more marketable.

10. Regarding **claim 2**, Andrews, White and Macario teach all the limitations as in claim 1. Andrew further teaches said value is a resistor value included in the identification means (Col. 3, line 54 - Col. 4, line 10).

Art Unit: 2687

11. Regarding **claim 3**, Andrews, White and Macario teach all the limitations as in claim 2. White further teaches an operation state is a frequency mode for directing an electrical representation of a ringing signal to the electric circuitry for providing an illumination effect following the ringing signal (para. 102 - 104). Therefore, it would have been obvious for one of ordinary skill in the art at the time of invention to add the illumination effects following a ringing tone to better inform a user of an incoming call since it is easier to see than hear a notification in a noisy environment.

12. Regarding **claim 4**, it is an apparatus claim corresponding to the method claim 1. Therefore it is rejected for the same reasons as claim 1.

13. Regarding **claim 5**, Andrews, White and Macario teach all the limitations as in claim 4. Andrews further teaches said connector pins are arranged in line in an equal distance (Fig. 9 and 7).

14. Regarding **claim 6**, Andrews, White and Macario teach all the limitations as in claim 5. Although they fail to teach that the connector pins are arranged at the rear side of the cover part, changing the location from the front to the rear of the cover does not change the functionality of the cover. Therefore, it would have been obvious for one of ordinary skill in the art to place the pins at the rear as a designer's choice to best fit the rest components of the cover.

15. Regarding **claim 7**, Andrews, White and Macario teach all the limitations as in claim 6. Andrews teaches the number of connector pins is four. He does not teach the number to be three nor five. However, he teaches that there can be  $2^n$  combinations of models that can be supported depending on n number of pins. Therefore, it would have been obvious for one of ordinary skill in the art to choose 3 or 5 pins depending on the number of models the supplier would like to support (Col. 4, lines 17-20).

16. Regarding **claim 9**, Andrews, White and Macario teach all the limitations as in claim 5. Andrew teaches said value is a resistor value included in the identification means (Col. 3, line 54 - Col. 4, line 10).

17. Regarding **claim 10**, Andrews, White and Macario teach all the limitations as in claim 6. White teaches the operation state is a frequency mode for directing an electrical representation of a ringing signal to the electric circuitry for providing an illumination effect synchronized with the ringing signal (para. 102 - 104).

18. Regarding **claim 12**, Andrews, White and Macario teach all the limitations as in claim 4. White teaches, wherein said keys are adapted for sound creating purposes comprising music composing applications, sound creating applications, gaming (para. 82), ring tone creation, system sound creation, sending sounds with multimedia messaging service or other messaging service, or any combination thereof.

Art Unit: 2687

19. Regarding **claim 13**, it is a cover that corresponds to the exchangeable cover as claimed in claim 4. Therefore it is rejected for the same reason as claim 4.

20. Regarding **claim 15**, Andrews, White and Macario teach all the limitations as in claim 13. White further teaches said keys are adapted for sound creating purposes comprising music composing applications, sound creating applications, gaming (para. 82), ring tone creation, system sound creation, sending sounds with multimedia messaging service or other messaging service, or any combination thereof.

21. Claims **11 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Andrews** (US Patent No. 5911121) in view of **White et al.** (US Publication No. 2005/0026643) in further view of **Macario** (Cellular Radio Principles and Design, 1993) in further view of **Zhao** (Patent No. 2004/0204135)

22. Regarding **claims 11 and 14**, Andrews, White and Macario teach all the limitations as in claim 4 and 13 respectively. However, they fail to said set of tones and/or sound effects comprise music instrument digital interface tones. In an analogous art, **Zhao** teaches ring tones in the form of MIDI. Therefore, it would have obvious for one of ordinary skill in art at the time of invention to add the MIDI tone as another plus feature into the fascia to make it more marketable.



Art Unit: 2687

***Citation of Prior Art***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Volland** (US Publication Number 2004/0110526) discloses an exchangeable-cover phone that has three connector pins to identify the cover model with the corresponding display.

**Hutchison** (US Publication Number 2005/0101356) discloses a casing of portable communication device that has light guides for the display and sounds provided by the keys.

***Conclusion***


23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Lam whose telephone number is (571) 272-6497. The examiner can normally be reached on M-F 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

8/8/2005

  
3/8/05  
**LESTER G. KINCAID**  
**SUPERVISORY PRIMARY EXAMINER**